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*Of Attorneys for Defendants City of Portland
and Bryce Askelson*

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

TED TIMMONS,

3:22-cv-01235-SB

PLAINTIFF,

OFFER OF JUDGMENT

v.

**CITY OF PORTLAND, and BRYCE
ASKELSON,**

DEFENDANTS.

Pursuant to Fed. R. Civ. P. 68, defendant City of Portland and Officer Askelson hereby offer to allow judgment in the above-captioned matter to be taken against it by plaintiff Ted Timmons for the sum of five thousand and one and no/100 Dollars (\$5,001), plus costs and reasonable attorneys' fees to be determined by the Court, incurred as of the date of this offer. This Offer of Judgment is made for the purposes specified in Rule 68, Federal Rules of Civil Procedure, and is not to be construed either as an admission that the defendants are liable in this action, or that the plaintiff has suffered damages. Any Judgment entered as a result of this offer must state that the Judgment shall not be construed as an admission of liability nor an admission that plaintiff suffered any damages. Any Judgment entered as a result of this offer shall act as a preclusive bar to any other legal action by plaintiff against Defendant City of Portland or any of its officers, agents or

employees arising out of the subject matter of plaintiff's action

This Offer of Judgment shall not be filed with the Court unless (a) accepted or (b) in a proceeding to determine costs.

Dated: December 20, 2022

Respectfully submitted,

/s/ Caroline Turco

CAROLINE TURCO

OSB # 083813

Senior Deputy City Attorney

Telephone: (503) 823-4047

*Of Attorneys for Defendants City of Portland
and Bryce Askelson*

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing OFFER OF JUDGMENT on:

Franz Bruggemeier
Juan C. Chavez
Jonathan Gersten
Oregon Justice Resource Center
P.O. Box 5248
Portland, OR 97208
Of Attorneys for Plaintiff

on December 20, 2022, by causing a full, true and correct copy thereof, addressed to the last-known address (or fax number) of said attorney, to be sent by the following method(s):

- ☒ by **mail** in a sealed envelope, with postage paid, and deposited with the U.S. Postal Service in Portland, Oregon.
- ☐ by **hand delivery**.
- ☐ by **email** pursuant to LR 5-2(b).
- ☐ by **facsimile transmission**.
- ☒ by **email**.

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